IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

CENDANT MORTGAGE CORPORATION :

:

v. : Civil Action No. DKC 2004-3102

:

MICHAEL E. UMALI :

MEMORANDUM OPINION

After judgment by default was entered against Michael E. Umali in the amount of $150,478.00, plus costs and interest, Plaintiff requested a writ of garnishment for Cheryl R. Barber. The writ issued on February 7, 2005, and was served on March 10, 2005. On March 31, 2005, Cheryl R. Barber answered the writ, denying any indebtedness to the judgment debtor. In its reply filed April 6, 2005, judgment creditor continues to assert that Cheryl R. Barbar has received items of value, without fair consideration, from the judgment debtor and that it is "entitled to recover from [her] the sums of money and other items of value (including but not limited to an engagement ring) that, without giving fair consideration, she received with knowledge that the money received or used to obtain the items of value was ill-gotten."

Under Maryland Rule 2-645(g), once the timely reply was filed, "the matter shall proceed as if it were an original

action between the judgment creditor as plaintiff and the garnishee as defendant and shall be governed by the rules applicable to civil actions." Accordingly, this case shall proceed as Cendant Mortgage Corporation v. Cheryl R. Barber. A scheduling order is being entered separately.

/s/
DEBORAH K. CHASANOW
United States District Judge

May 5, 2005